

JCO Rec'd PCT/PTO 07 DEC 2001

(1390 REV. 5-93) US DEPT. OF COMMERCE PATENT & TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 111380
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (if known, sec 37 C.F.R.1.5) 09/980777
INTERNATIONAL APPLICATION NO. PCT/FR00/01728	INTERNATIONAL FILING DATE June 21, 2000	PRIORITY DATE CLAIMED June 21, 1999
TITLE OF INVENTION SEARCH METHOD FOR RESISTANCE TO ANTI-PROTEASES OF A STRAIN OF THE HIV 2 VIRUS FROM A BIOLOGICAL SAMPLE TAKEN FROM A PATIENT		
APPLICANT(S) FOR DO/EO/US Jean-Noel TELLES, François BRUN-VEZINET, Diane DESCAMPS		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.		
2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.		
3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).		
4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.		
5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 		
6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).		
7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 		
8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).		
9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).		
10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).		
Items 11. to 16. below concern other document(s) or information included:		
11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.		
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
13. <input type="checkbox"/> A FIRST preliminary amendment.		
<input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.		
14. <input type="checkbox"/> A substitute specification.		
15. <input type="checkbox"/> Entitlement to small entity status is hereby asserted.		
16. <input type="checkbox"/> Other items or information:		

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) 09/1980777	INTERNATIONAL APPLICATION NO. PCT/FR00/01728	ATTORNEY'S DOCKET NUMBER 111380
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17. <input checked="" type="checkbox"/> The following fees are submitted: Basic National fee (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO\$890.00 International preliminary examination fee paid to USPTO (37 CFR1.482)\$710.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))\$740.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO\$1,040.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)\$ 100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =	CALCULATIONS	PTO USE ONLY																																																																		
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<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">Claims</th> <th style="width:20%;">Number Filed</th> <th style="width:10%;">Number Extra</th> <th style="width:20%;">Rate</th> <th style="width:10%;"></th> <th style="width:10%;"></th> </tr> <tr> <td>Total Claims</td> <td>14 - 20 =</td> <td>0</td> <td>X \$ 18.00</td> <td>\$</td> <td></td> </tr> <tr> <td>Independent Claims</td> <td>2 - 3 =</td> <td>0</td> <td>X \$ 84.00</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="3">Multiple dependent claim(s)(if applicable)</td> <td>+ \$280.00</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$890.00</td> <td></td> </tr> <tr> <td colspan="4">Reduction by 1/2 for filing by small entity, if applicable.</td> <td>-</td> <td>\$</td> </tr> <tr> <td colspan="4">SUBTOTAL =</td> <td>\$890.00</td> <td></td> </tr> <tr> <td colspan="4">Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 month from the earliest claimed priority date (37 CFR 1.492(f)).</td> <td>+</td> <td>\$</td> </tr> <tr> <td colspan="4">TOTAL NATIONAL FEE =</td> <td>\$890.00</td> <td></td> </tr> <tr> <td colspan="4"></td> <td style="text-align: right;">Amount to be refunded</td> <td>\$</td> </tr> <tr> <td colspan="4"></td> <td style="text-align: right;">Charged</td> <td>\$</td> </tr> </table>	Claims	Number Filed	Number Extra	Rate			Total Claims	14 - 20 =	0	X \$ 18.00	\$		Independent Claims	2 - 3 =	0	X \$ 84.00	\$		Multiple dependent claim(s)(if applicable)			+ \$280.00	\$		TOTAL OF ABOVE CALCULATIONS =				\$890.00		Reduction by 1/2 for filing by small entity, if applicable.				-	\$	SUBTOTAL =				\$890.00		Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 month from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$	TOTAL NATIONAL FEE =				\$890.00						Amount to be refunded	\$					Charged	\$		
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a.	<input checked="" type="checkbox"/>	Check No. <u>125720</u> in the amount of <u>\$890.00</u> to cover the above fees is enclosed.
b.	<input type="checkbox"/>	Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.
c.	<input checked="" type="checkbox"/>	The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. <u>15-0461</u> . A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:
 OLIFF & BERRIDGE, PLC
 P.O. Box 19928
 Alexandria, Virginia 22320

Date: December 7, 2001

NAME: William P. Berridge
 REGISTRATION NUMBER: 30,024

 NAME: Thomas J. Pardini
 REGISTRATION NUMBER: 30,411

09/980,777, 02/20/02

Rec'd PCT/PTO 20 FEB 2002
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

BOX: SEQUENCE

Jean-Noel TELLES et al.

Application No.: 09/980,777

Filed: February 20, 2002

Docket No.: 111380

For: SEARCH METHOD FOR RESISTANCE TO ANTI-PROTEASES OF A STRAIN OF
THE HIV-2 VIRUS FROM A BIOLOGICAL SAMPLE TAKEN FROM A PATIENT

PRELIMINARY AMENDMENT

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

In reply to the Notification of Missing Requirements mailed February 5, 2002, and
after entry of the Annexes to the IPER, please amend the above-identified application as
follows:

IN THE SPECIFICATION:

At the end of the application, please insert the attached paper and computer-readable
Sequence Listing.

Please replace paragraph [0050] as follows:

[0050] The protease gene was retrotranscribed from 10 microliters of viral RNA
solution and amplified with the Titan One Tube RT-PCR kit (Roche Molecular Diagnostics).
Reverse transcription and the first amplification were done with the 3' Prot and 5' RT 3
primers (see below). The reaction at 50°C for 30 minutes was followed by a denaturing step
at 94°C for 5 minutes then 40 cycles (30 seconds at 94°C, 30 seconds at 55°C, 90 seconds at
68° C), and finally at 68°C for 7 minutes. The step PCR stage was done with 5 microliters of
the product of the first stage with primers 3' RTD and 5' Prot 2.1, with 5 minutes denaturing
at 94°C, followed by 30 cycles (30 seconds at 94° C, followed by 30 cycles at 55°C, and 30
seconds at 72° C) and finally 10 minutes at 72°C. The primer sequence is the following:

3' Prot: CAGGGGCTGACACCAACAGCACCCCC (SEQ ID NO: 1)

5' RT 3: CCATTTTTTCACAGATCTCTTTTAATGCCTC (SEQ ID NO: 2)

3' RTD: ATGTGGGGGTATTATAAGGATT (SEQ ID NO: 3)

5' Prot 2.1: GAAAGAAGCCCCGCAACTTC (SEQ ID NO: 4)

Please replace paragraph **[0063]** as follows:

[0063] (a) position 45:

A probe having for example 9 to 25 nucleotides (preferably distributed symmetrically about the mutated codon AGA) whose sequence is included in one of the following sequences:

ATTACACTCCAAGAATAGTAGGGGG (SEQ ID NO: 5)

ATTATAGCCCAAGAATAGTAGGGGG (SEQ ID NO: 6)

ATTATAGTCCAAGAATAGTAGGGGG (SEQ ID NO: 7)

ATTATACCCCAAGAATAGTAGGGGG (SEQ ID NO: 8)

ATTATAGTCCAAGAATAGTAGGAGG (SEQ ID NO: 9)

ATTATACCCCAAGAATAGTAGGAGG (SEQ ID NO: 10)

can be used.

Please replace paragraph **[0064]** as follows:

[0064] (b) position 54:

A probe having for example 9 to 25 nucleotides (preferably distributed symmetrically about the mutated codon ATG) whose sequence is included in one of the following sequences:

TAGGGGGATTATGAACACCAAAGA (SEQ ID NO: 11)

TAGGGGGATTCATGAACACCAAAGA (SEQ ID NO: 12)

TAGGAGGATTCATGAACACCAAAGA (SEQ ID NO: 13)

TAGGAGGGTTCATGAACACCAAAGA (SEQ ID NO: 14)

can be used.

Please replace paragraph **[0065]** as follows:

[0065] (c) position 64:

A probe having for example 9 to 25 nucleotides (preferably distributed symmetrically about the mutated codon GTA) whose sequence is included in one of the following sequences:

AAAATGTAGAAGTAAAAGTACTAAA (SEQ ID NO: 15)

AAAATATAGAAGTAAAAGTACTAAA (SEQ ID NO: 16)

AAGATGTAGAAGTAAAAGTACTAAA (SEQ ID NO: 17)

AAAATGTAGAAGTAGAAGTTCTAAA (SEQ ID NO: 18)

AAAATGTAGAAGTAGAAGTCCTGGA (SEQ ID NO: 19)

AAAGTGTAGAAGTAAGAGTGCTAAA (SEQ ID NO: 20)

can be used.

Please replace paragraph [0066] as follows:

[0066] (d) position 84:

A probe having for example 9 to 25 nucleotides (preferably distributed symmetrically about the mutated codon CTC) whose sequence is included in one of the following sequences:

CCCCAATCAACCTCTTTGGCAGAAA (SEQ ID NO: 21)

can be used.

Please replace paragraph [0067] as follows:

[0067] (e) position 90:

A probe having for example 9 to 25 nucleotides (preferably distributed symmetrically about the mutated codon ATG) whose sequence is included in one of the following sequences:

GCAGAAATATTATGACAGCCTTAGG (SEQ ID NO: 22)

GCAGAAATATTATGGCAACCTTAGG (SEQ ID NO: 23)

GCAGAAATGTTATGACAGCTTTAGG (SEQ ID NO: 24)

GCAGAAATATCATGACAGCCTTGGG (SEQ ID NO: 25)

GCAGAAACATTATGACAGCCTTA (SEQ ID NO: 26)

can be used.

Page 1, before paragraph [0001], insert new headings as follows:

BACKGROUND OF THE INVENTION

1. Field of Invention

Page 1, between paragraphs [0001] and [0002], insert a new heading as follows:

2. Description of Related Art

Page 2, between paragraphs [0009] and [0010], insert a new heading as follows:

SUMMARY OF THE INVENTION

Page 4, between paragraphs [0021] and [0022], insert a new heading as follows:

DETAILED DESCRIPTION OF PREFERRED EMBODIMENTS

IN THE CLAIMS:

Please replace claims 4, 7 and 11 as follows:

4. (Amended) Method according to Claim 1, wherein, to detect a mutation of the protein sequence of the protease, a corresponding mutation is sought in the nucleotide sequence of the gene of said protease.

7. (Amended) Nucleotide probe usable in the method according to Claim 1, comprising, as a minimum sequence, a sequence chosen from the group comprised of:

CCA AGA ATA for a mutated form of position 45.

CCA AGA GTA for a mutated form of position 45.

CCT AGA ATA for a mutated form of position 45.

TTT ATG AAC for a mutated form of position 54.

TTT ATG AAT for a mutated form of position 54.

GAA GTA AAA for a mutated form of position 64.

GAA GTA GAA for a mutated form of position 64.

AAC CTC TTT for a mutated form of position 84.

ATT ATG ACA for a mutated form of position 90.

ATC ATG ACA for a mutated form of position 90,

possibly supplemented by the nucleotide sequence of an adjacent region of the gene of said protease, on either side of the minimum sequence,

(b) a nucleotide sequence equivalent to a sequence defined in (a), and

(c) a sequence complementary to a sequence defined in (a) or in (b).

11. (Amended) Method according to Claim 8, wherein, to detect a mutation of the protein sequence of the protease, a corresponding mutation is sought in the nucleotide sequence of the gene of said protease.

REMARKS

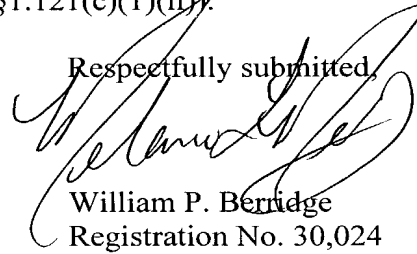
Claims 1-14 are pending. By this Preliminary Amendment, the attached paper copy and computer-readable copy of the Sequence Listing are submitted in compliance with 37 C.F.R. §§1.821-1.825. The contents of the paper copy and the computer-readable copy of the Sequence Listing are the same. No new matter is added. Support for the information provided in the Sequence Listing can be found in the specification on pages 9, 12 and 13. In

Application No. 09/980,777

addition, the specification and claims are amended to conform to U.S. practice and remove any multiple dependencies. Prompt and favorable consideration on the merits is respectfully requested.

The attached Appendix includes marked-up copies of each rewritten paragraph (37 C.F.R. §1.121(b)(1)(iii)) and claim (37 C.F.R. §1.121(c)(1)(ii)).

Respectfully submitted,



William P. Berridge
Registration No. 30,024

Melanie L. Mealy
Registration No. 40,085

WPB:MLM/zmc

Attachments:

Appendix
Sequence Listing (paper and computer-readable copies)

Date: February 20, 2002

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
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APPENDIX

Changes to Specification:

New headings are added before Paragraph [0001].

A new heading is added between Paragraphs [0001] and [0002].

A new heading is added between Paragraphs [0009] and [0010].

A new heading is added between Paragraphs [0021] and [0022].

The following are marked-up versions of the amended paragraphs:

A Sequence Listing is added.

[0050] The protease gene was retrotranscribed from 10 microliters of viral RNA solution and amplified with the Titan One Tube RT-PCR kit (Roche Molecular Diagnostics). Reverse transcription and the first amplification were done with the 3' Prot and 5' RT 3 primers (see below). The reaction at 50°C for 30 minutes was followed by a denaturing step at 94°C for 5 minutes then 40 cycles (30 seconds at 94°C, 30 seconds at 55°C, 90 seconds at 68° C), and finally at 68°C for 7 minutes. The step PCR stage was done with 5 microliters of the product of the first stage with primers 3' RTD and 5' Prot 2.1, with 5 minutes denaturing at 94°C, followed by 30 cycles (30 seconds at 94° C, followed by 30 cycles at 55°C, and 30 seconds at 72° C) and finally 10 minutes at 72°C. The primer sequence is the following:

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[0063] (a) position 45:

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ATTATAGTCCAAGAATAGTAGGAGG (SEQ ID NO: 9)

ATTATACCCCAAGAATAGTAGGAGG (SEQ ID NO: 10)

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Application No. 09/980,777

can be used.

[0064] (b) position 54:

A probe having for example 9 to 25 nucleotides (preferably distributed symmetrically about the mutated codon ATG) whose sequence is included in one of the following sequences:

TAGGGGGATTATGAACACCAAAGA (SEQ ID NO: 11)

TAGGGGGATTCATGAACACCAAAGA (SEQ ID NO: 12)

TAGGAGGATTCATGAACACCAAAGA (SEQ ID NO: 13)

TAGGAGGGTTCATGAACACCAAAGA (SEQ ID NO: 14)

can be used.

[0065] (c) position 64:

A probe having for example 9 to 25 nucleotides (preferably distributed symmetrically about the mutated codon GTA) whose sequence is included in one of the following sequences:

AAAATGTAGAAGTAAAAGTACTAAA (SEQ ID NO: 15)

AAAATATAGAAGTAAAAGTACTAAA (SEQ ID NO: 16)

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AAAATGTAGAAGTAGAAGTCCTGGA (SEQ ID NO: 19)

AAAGTGTAGAAGTAAGAGTGCTAAA (SEQ ID NO: 20)

can be used.

[0066] (d) position 84:

A probe having for example 9 to 25 nucleotides (preferably distributed symmetrically about the mutated codon CTC) whose sequence is included in one of the following sequences:

CCCCAATCAACCTCTTTGGCAGAAA (SEQ ID NO: 21)

can be used.

[0067] (e) position 90:

A probe having for example 9 to 25 nucleotides (preferably distributed symmetrically about the mutated codon ATG) whose sequence is included in one of the following sequences:

GCAGAAATATTATGACAGCCTTAGG (SEQ ID NO: 22)

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GCAGAAATGTTATGACAGCTTTAGG (SEQ ID NO: 24)

GCAGAAATATCATGACAGCCTTGGG (SEQ ID NO: 25)

GCAGAAACATTATGACAGCCTTA (SEQ ID NO: 26)

can be used.

Changes to Claims:

The heading is changed as follows:

CLAIMS WHAT IS CLAIMED IS:

The following are marked-up versions of the amended claims:

4. (Amended) Method according to Claim 1 ~~any of the foregoing claims~~, wherein, to detect a mutation of the protein sequence of the protease, a corresponding mutation is sought in the nucleotide sequence of the gene of said protease.
7. (Amended) Nucleotide probe usable in the method according to Claim 1 ~~any one of Claims 1 to 5~~, comprising, as a minimum sequence, a sequence chosen from the group comprised of:
 - CCA AGA ATA for a mutated form of position 45.
 - CCA AGA GTA for a mutated form of position 45.
 - CCT AGA ATA for a mutated form of position 45.
 - TTT ATG AAC for a mutated form of position 54.
 - TTT ATG AAT for a mutated form of position 54.
 - GAA GTA AAA for a mutated form of position 64.
 - GAA GTA GAA for a mutated form of position 64.
 - AAC CTC TTT for a mutated form of position 84.
 - ATT ATG ACA for a mutated form of position 90.
 - ATC ATG ACA for a mutated form of position 90,possibly supplemented by the nucleotide sequence of an adjacent region of the gene of said protease, on either side of the minimum sequence,
 - (b) a nucleotide sequence equivalent to a sequence defined in (a), and
 - (c) a sequence complementary to a sequence defined in (a) or in (b).
11. (Amended) Method according to Claim 8 ~~any of Claims 8 to 10~~, wherein, to detect a mutation of the protein sequence of the protease, a corresponding mutation is sought in the nucleotide sequence of the gene of said protease.

SEARCH METHOD FOR RESISTANCE TO ANTI-PROTEASES OF A STRAIN OF THE
HIV-2 VIRUS FROM A BIOLOGICAL SAMPLE TAKEN FROM A PATIENT

[0001] The invention relates to a method for testing the resistance of the HIV-2 virus to antiprotease treatment in a patient infected with HIV-2 as well as nucleotide probes usable for such testing.

[0002] Acquired immunodeficiency syndrome (AIDS) is caused by two viruses: HIV-1 and HIV-2. HIV-1 is present throughout the world while HIV-2 is present mainly in western Africa.

[0003] Effective antiviral treatments have been in widespread use since 1996 in developed countries where the virus present is HIV-1. Because of their cost, these treatments cannot be used in developing countries where HIV-2 is present.

[0004] There are three types of antiretroviral treatments: antiprotease (Indinavir, Ritonavir, Saquinavir, Nelfinavir, and Amprenavir), nucleoside reverse transcriptase (RT) inhibitors (Zidovudine, Didanosine, Zalcitabine, Lamivudine, Stavudine, Abacavir, FTC, and Adefovir), and nonnucleoside RT inhibitors (Nevirapine, Delavirdine, and Efavirenz). These treatments are often given in combination; this is known as multiple-drug therapy.

[0005] Antiproteases elicit primary mutations which confer a high degree of resistance but alter the ability of the virus to replicate. Thus, the virus needs to select secondary mutations if it is to be both resistant and able to replicate actively. Also, reverse transcriptase mutations have been described where nucleoside RT inhibitors have been used in combination.

[0006] During treatment with HIV-1 infection, particularly if the levels of drug in the bloodstream are inadequate, viral replication is insufficiently inhibited, or rises above the detection threshold of available viral load techniques (the "viral load" measures the quantity of virus genomes in the bloodstream). Because of the high error rate of reverse transcription, mutations take place in the genes targeted by protease and reverse transcriptase treatment. Certain mutations bring about various degrees of resistance to antivirals. Virologic failure occurs in 20 to 40% of patients treated with current multiple drug regimens.

[0007] If viruses resistant to one or more substances can be shown for a patient before treatment or if the viral load increases again, the best drug combination for treating HIV-1 can be chosen.

[0008] There are currently no published data on mutations in the HIV-2 genome due to the use of antiproteases.

[0009] Antiprotease agents that are active against HIV-1 are also active against HIV-2. However, there are no methods available to assist the clinician in determining resistance to antiprotease drugs in patients infected with HIV-2.

[0010] The amino acid sequence of the HIV-2 protease is known. In the present application, the numbering system for this amino acid sequence can be deduced from that described in Human Retroviruses and Aids, 1997, Los Alamos National Laboratory, Los Alamos, New Mexico, Chapter II, pp. B10 and B11. The first amino acid in the protease sequence, considered to be position 1 in the present application, is the proline in position 86 of the polyprotein PoL in the ROD strain.

[0011] It has now been discovered that antiprotease drugs can bring about mutations in positions 45, 54, 64, 84, and 90 and in positions 10, 46 of the HIV-2 protease and that the mutated viral strains thus appearing are usually resistant to at least one of the antiprotease drugs used.

[0012] Hence, the subject of the present invention is a method for testing resistance of an HIV-2 viral strain to antiprotease treatment.

[0013] In a preliminary testing phase, this is a method wherein:

- a) using known methods, the presence of at least one mutation at one of positions 45, 54, 64, 84, and 90 or one of positions 10, 46 of the protein sequence of the protease of said viral strain in a biological sample taken from a patient infected with HIV-2 is investigated,
- b) of the mutations found in a), those which, after cloning in an HIV-2 virus, do not prevent the virus clone obtained from multiplying in culture in the presence of said antiprotease drug are selected, and
- c) if at least one mutation is selected at step b), it is concluded that resistance exists to the antiprotease drug referred to in b).

[0014] Of the mutations found in a), those which, when present in a gene cloned in an HIV-2 virus, cause the viral clone not to be significantly prevented from multiplying in the presence of said antiprotease drug are selected. The following procedure may be used to implement step b). The mutations tested are inserted individually into a viral clone by mutagenesis directed by the method described in the article by Kemp et al., J. Virol., 72(6), pp. 5093-5098, 1998. The clones thus obtained are cultured with a "wild-type" (i.e. non-mutated) virus clone as a reference in the presence of the various antiprotease drugs able to act against the HIV-2 virus. By measuring the IC₅₀ with a colorimetric test for example (see above Kemp article), the size of the mutation (minor or major) with the various drugs tested

can be determined. Thus, one can select the mutations that allow the virus to multiply in the presence of an antiprotease agent as these mutations give rise to strains resistant to this antiprotease.

[0015] Of course, in the case outlined in c), the future treatment planned for the patient would be a different antiprotease agent from the agent shown to elicit resistance in this patient.

[0016] If step b) did not select a mutation found in step a), it may be concluded that the mutation in question did not elicit resistance by the HIV-2 virus to the antiprotease drug tested for the patient in question.

[0017] Obviously, when step b) identifies a mutation that generates resistance to a given antiprotease drug, step b) of the method described above need not be carried out in the future. In this case, step a) would suffice because the link between the mutation and resistance to the antiprotease drug would be established once and for all; one can go on directly to step c) and conclude that there is resistance to the antiprotease agent studied.

[0018] The invention relates in particular to a method for detecting any resistance of an HIV-2 viral strain to treatment by an antiprotease drug in which the presence of at least one mutation chosen from the following mutations:

K 45 R, I 54 M, I 64 V, I 84 L and L 90 M, or V 10 I, I 46 V,
and I 82 M,

in the protein sequence of the protease of said viral strain is investigated and in which said resistance is concluded to exist if said mutation or said mutations is or are present.

[0019] The conventional notation in the present application for describing a mutation is as follows: The number indicates the position in the amino acid sequence of the HIV-2 protease. The letter to the left of the number is the amino acid of the wild-type strain in the international classification, with the one-letter code. The letter to the right of the number is the amino acid, in the same classification, resulting from a mutation.

[0020] "Wild-type strain" is understood to be a viral strain that has not mutated after treatment with an antiprotease.

[0021] To identify a mutation in the protein sequence of the protease of the viral strain in question, it is preferable to look for a corresponding mutation in the nucleotide sequence of the gene of said protease. These mutations can be tested on the DNA or the RNA. Of course, in looking for a mutation in the protein sequence by seeking a mutation in the nucleotide sequence, degeneration of the genetic code would be taken into account, namely a given amino acid can be coded by different codons. This mutation assay can be

done in the nucleotide sequence by known methods, particularly by hybridization or sequencing techniques.

[0022] In a first embodiment of the invention, a hybridization method using specific probes is implemented to test for the mutation or mutations.

[0023] A particular embodiment using a hybridization method consists of obtaining a polynucleotide containing all or part of the protease gene, and including the sequence of interest corresponding to the region containing the mutation to be assayed. Such a polynucleotide can be obtained in particular by enzymatic amplification. The method used in this case comprises the steps consisting of placing said polynucleotide in contact with a nucleotide probe that is attached or attachable to a solid substrate and is able to hybridize specifically with such a polynucleotide only if the polynucleotide has the mutation studied; then revealing the presence of the polynucleotide attached to the solid substrate by the capture probe, using known methods. For this purpose, the solid substrate can be washed, after which the presence of the polynucleotide, attached to the substrate, is revealed either by a physical method or with an appropriate marker.

[0024] The probe can be attached directly by adsorption or by covalence. It can also be attached indirectly by a ligand/antiligand-type reaction such as the biotin/streptavidin or haptene/antibody pair, with the antiligand attaching to the solid substrate and the ligand to the probe, for example.

[0025] The polynucleotide can also be labeled during the enzymatic amplification stage, for example using a triphosphate nucleoside labeled for the amplification reaction. The labeled nucleotide will be a deoxyribonucleotide in amplification systems generating a DNA, such as PCR, or a ribonucleotide in amplification techniques generating an RNA, such as the TMA or NASBA techniques.

[0026] The polynucleotide can also be labeled after the amplification stage, for example by hybridizing a probe labeled by the sandwich hybridizing technique described in document WO 91/19812.

[0027] A particular method of labeling polynucleotides is described in application FR 98 07870 by the applicant.

[0028] Alternatively, the polynucleotide including all or part of the protease gene can be prepared by enzymatic amplification, elongating primers that have a ligand. The polynucleotide obtained, which will thus contain the ligand, can be attached to the solid substrate by interaction with a corresponding antiligand. The solid substrate to which the polynucleotide is attached is then placed in contact with at least one probe able to attach

[0033] Examples of these biochips are given for example in the publications of G. Ramsay, *Nature Biotechnology*, 16, pp. 40-44, 1998; F. Ginot, *Human Mutation*, 10, pp. 1-10, 1997; J. Cheng et al., *Molecular Diagnosis*, 1(3), pp. 183-200, 1996; T. Livache et al., *Nucleic Acids Research*, 22(15), pp. 2915-2921, 1994; J. Cheng et al., *Nature Biotechnology*, 16, pp. 541-546, 1998. The main property of the solid substrate must be to preserve the hybridization properties of the probes on the target and allow a minimum background noise for the detection method. One advantage of biochips is that they simplify the use of numerous probes, taking into account the polymorphism of the virus in areas abutting the sought-after mutation. A biochip for verifying the presence or absence of mutations can be made by the

procedure described by Kozal M. et al., Nature Medicine, 2, pp. 753-759, 1996, as a function of alignments of sequences known for different HIV-2 strains.

[0034] A "marker" is understood to be a tracer able to generate a signal. A nonexhaustive list of these tracers includes enzymes producing a detectable signal, for example by colorimetry, fluorescence, or luminescence, such as horseradish peroxidase, alkaline phosphatase, beta-galactosidase, glucose-6-phosphate-dehydrogenase; chromophores such as fluorescent, luminescent, or dye compounds; electron density groups detectable by electron microscopy, or by their electrical properties such as conductivity, by amperometry or voltametry methods, or by impedance measurement; groups detectable by optical methods such as diffraction, surface plasmon resonance, or variation in contact angle, or by physical methods such as atomic force spectroscopy, tunnel effect, etc.; radioactive molecules such as ^{32}P , ^{35}S , or ^{125}I .

[0035] Signal amplification systems can be used as described in document WO/95 08000 and in this case, the preliminary enzymatic amplification reaction may be unnecessary.

[0036] The term "primer" designates an oligonucleotide sequence able to hybridize to a useful nucleic sequence and to serve as a starting point for an enzymatic elongation reaction to produce a nucleic acid fragment complementing a target of interest such as the gene of the protease or part of this gene. The primer has a size of between 5 and 50 nucleotides, particularly between 10 and 30 nucleotides. Preferably, the primers are chosen in the preserved regions of the HIV-2 virus to enable all the viral strains that could be encountered in a patient to be amplified in order to deal with the polymorphism inherent in the HIV-2 virus.

[0037] The probes for demonstrating mutations at positions 45 and/or 54 and/or 64 and/or 84 and/or 90, as well as those showing mutations at positions 10 and/or 46 by hybridizing on all or part of the protease gene of the HIV-2 virus present in a biological sample, are also a subject of the present invention.

[0038] The term "probe" refers to an oligonucleotide sequence able to hybridize specifically with a nucleic acid sequence of interest. Here, since the goal of the present invention is to detect a point mutation on the gene of the HIV-2 protease, the probe must be able to distinguish a point mutation under predetermined hybridization or washing conditions. The size of these probes is between 5 and 40 nucleotides, particularly between 9 and 25 nucleotides. Methods for determining these probes have been described for example in the

patent application WO 97/27332. The probe is, for example, constructed such that the position of the mutation to be detected is substantially in the center of the probe.

[0039] The oligonucleotides used as primers or probes can include natural or modified nucleotides such as phosphorothioates, H-phosphonates, alkylphosphorothioates, or analogs of nucleotides containing bases such as inosine or nebularin in the place of the purine or pyrimidine bases present in the A, T, C, G, and U nucleotides.

[0040] These primers or probes can be composed totally or partially of alpha or beta anomerism nucleosides or isomers in the D or L series, or PNA (Nielsen et al., *Nucleic Acid Research*, 21(2), pp. 197-200, 1993).

[0041] In another embodiment of the invention, the mutation or mutations is/are detected by sequencing all or part of the protease gene.

[0042] The various sequencing methods are well known: In particular, the sequencing methods of Sanger, the sequencing methods using four wells to react the sequences studied with sequencing primers labeled by four different fluorophores (Perkin-Elmer "ABI Prism Dye Primer" procedure), or the method described in US Patent 5,795,722 (Visible Genetics), or the method using labeled nucleotides (Perkin-Elmer "ABI Prism Dye Terminator" procedure) instead of labeled primers can be used. The sequencing methods are described, for example, in *Molecular Cloning, A Laboratory Manual*, Sambrook, Fritsch, and Maniatis, Cold Spring Harbor Laboratory Press, 1989, Chapter 13.

[0043] In a particular embodiment of the invention, the presence of only one or more given mutations is tested. In another embodiment of the invention, both the mutated nucleotide sequence and the wild-type (non-mutated) nucleotide sequence are tested. If a hybridization method is used, at least two types of probes are defined for each position able to mutate: a probe type specific to the mutated sequence and a probe type specific to the wild-type sequence. Using both these types of probes enables the method to be controlled, since at least one of the two probe types has to react. Another advantage is to reveal the presence of mutated strains and wild-type strains in a given patient, where present.

[0044] Preferably, the target nucleic acid is subjected to a preliminary enzymatic amplification reaction to increase the sensitivity of the test, but it is possible to detect the target nucleic acid directly. The articles by Lewis (1992, *Genetic Engineering News*, 12, 1-9), and Abramson and Myers (1993, *Curr. Opin. Biotechnol.*, 4, 41-47) give examples of target amplification. The enzymatic amplification technique is, for example, chosen from the NASBA (Nucleic Acid Sequence Based Amplification), TMA (Transcription Mediated

Amplification), RT-PCR (Reverse Transcriptase-Polymerase Chain Reaction), SDA (Strand Displacement Amplification), or LCR (Ligase Chain Reaction) techniques.

[0045] Mutant viral strains are detected from a possibly pretreated biologic sample. "Pretreatment" means the various steps by which the sample is treated to make the target nucleic acid, namely the protease gene, accessible, for example lysis, fluidization, concentration, or capture (see for example US Patents 5,750,388 and 5,766,849) using methods known of themselves.

[0046] To extract the viral RNA, one may, for example, use the reagent sold by the Boehringer Mannheim Company (High Pure Viral RNA reference 1858882) or the Quiagen kit (Viral RNA reference 29504). Other procedures are described in Maniatis et al., Molecular Cloning: A Laboratory Manual, 2nd Edition, Cold Spring Harbor Laboratory Press, 1989. The biologic sample can be any sample from the human body or possibly a sample enriched by culturing, such as blood, sperm, skin tissue, bronchoalveolar lavage fluid, biopsy, urine, colonies, liquid culture, etc.

[0047] The following examples illustrate the invention.

EXAMPLES

EXAMPLE 1

[0048] A study was conducted on three patients infected with HIV-2. Patients 1 and 2 had never received antiproteases. Patient 3 had already received Ritonavir for 8 months, and this treatment had been withdrawn 5 months before the study started. The first sample studied was taken before the beginning of treatment in patients 1 and 2, and 6 weeks after the start of Ritonavir treatment for patient 3. In patients 1 and 2, samples taken 2 and 5 months respectively after the start of treatment were studied. For patient 3, two samples (8 months and 11 months) were analyzed. Treatment consisted of Ritonavir for patient 2 and Ritonavir/Saquinavir for patients 1 and 3, at the recommended doses.

Methods:

[0049] The plasmas were obtained by centrifuging whole blood at 800 g for 10 minutes and clarified by a second centrifugation at 3000 g for 15 minutes.

500 microliters of pure plasma were added to 1.5 milliliters of fresh lymphocyte culture stimulated by PHA (10^6 cells/dish). Viral replication in the supernatant was monitored twice a week by measuring the level of HIV P-24 antigen (ELAVIA Ag I, Sanofi Diagnostics Pasteur). The positive supernatants were stored at -80°C . After ultracentrifugation of 1 milliliter of supernatant (23,500 g for 1 hour), the HIV-2 RNA was extracted by means of the Amplicor HCV Specimen Preparation kit (Roche).

[0050] The protease gene was retrotranscribed from 10 microliters of viral RNA solution and amplified with the Titan One Tube RT-PCR kit (Roche Molecular Diagnostics). Reverse transcription and the first amplification were done with the 3' Prot and 5' RT 3 primers (see below). The reaction at 50°C for 30 minutes was followed by a denaturing step at 94°C for 5 minutes then 40 cycles (30 seconds at 94°C, 30 seconds at 55°C, 90 seconds at 68° C), and finally at 68°C for 7 minutes. The step PCR stage was done with 5 microliters of the product of the first stage with primers 3' RTD and 5' Prot 2.1, with 5 minutes denaturing at 94°C, followed by 30 cycles (30 seconds at 94° C, followed by 30 cycles at 55°C, and 30 seconds at 72° C) and finally 10 minutes at 72°C. The primer sequence is the following:

3' Prot: CAGGGGCTGACACCAACAGCACCCCC

5' RT 3: CCATTTTTTCACAGATCTCTTTTAATGCCTC

3' RTD: ATGTGGGGGTATTATAAGGATTT

5' Prot 2.1: GAAAGAAGCCCCGCAACTTC

[0051] The amplification products were purified with the QUIACQUICK PCR purification kit (Quiagen) and sequenced directly with the 3' RTD and 5' Prot 2.1 primers using the ABI Prism Dye Terminator Cycle Sequencing kit (Applied Biosystem). They were analyzed with the Applied Biosystem 377 automatic sequencer and the sequences were aligned with the HIV-2 consensus sequences (subtypes A and

Results:

[0052] Before treatment, no mutation was detected relative to the HIV-2 A and B consensus sequences.

[0053] After treatment, the following mutations were observed:

- position 45: In patients 1 and 2, coexistence of a non-mutated population (lysine; codon AAA) and a mutated population (arginine; codon AGA) were observed, namely the K 45 K/R mutation was observed;
- position 54: In patients 1 and 2, replacement of isoleucine (codon ATA) by methionine (codon ATG), namely the I 54 M mutation, was observed;
- position 64: A non-mutated population was observed, and a population in which isoleucine (codon ATA) was replaced by a valine (codon GTA), namely mutation I 64 I/V;
- position 84: In patient 3, a non-mutated population (isoleucine (codon ATC) and a mutated population with replacement of isoleucine by a leucine (codon CTC) were observed, namely the I 84 I/L mutation;

- position 90: In all 3 patients, replacement of leucine (codon CTG) by a methionine (codon ATG) was observed, namely the L 90 M mutation.

[0054] Similarly, the following mutations were observed:

- position 10: Replacement of valine (codon GTA) by an isoleucine (codon ATA); i.e. mutation V 10 I when a patient was treated with Ritonavir;

- position 46: Replacement of isoleucine (codon ATA) by a valine (codon GTA); i.e. mutation I 46 V when a patient was treated with Ritonavir; and

- position 82: Replacement of isoleucine (codon ATA) by a methionine (codon ATG): i.e. mutation I 82 M when a patient was treated with Indinavir.

EXAMPLE 2: Example of probes that can be used for detecting mutations on the HIV-2 protease gene

[0055] The probes usable for revealing any mutations according to the invention, using hybridization techniques, can be defined from alignments published by Myers G. et al., 1997, Human Retroviruses and AIDS: A compilation and analysis of nucleic acid and amino acid sequences, Los Alamos National Laboratory, Los Alamos, New Mexico.

[0056] Of course, in addition to the probes expressly defined below, the invention also includes equivalent nucleotide probes, namely probes able to detect the same mutations on the protein sequence of the protease as those detected by the probes defined below, taking into account degeneration in the genetic code, namely the fact that a given amino acid can be coded by different codons.

[0057] Thus, the expression "equivalent nucleotide sequences" means any nucleotide sequences that differ from each other by at least one nucleotide but whose translation leads to the same protein sequence, in other words all nucleotide sequences coding for the same protein sequence.

[0058] Of course, this comment applies to each codon in each probe. Thus, for example, the amino acid in position 53 of HIV-2 protease is a phenylalanine which can be coded either by codon TTT or by codon TTC. The probes corresponding to each of these possibilities are of course part of the invention.

[0059] Depending on the particular hybridization conditions, particularly the temperature and composition of the hybridization and washing buffers, it is possible to define probes that must include at least one of the minimum sequences below, or their complementary sequences. Probes containing these sequences enable mutations to be distinguished in a hybridization process. Of course, analogous probes, obtained in particular by introducing base analogs such as inosine or nebularin in positions where polymorphism

due to intrinsic variability of the virus is present lead to a similar result and are also part of the invention.

[0060] These sequences are given in the 5' to 3' direction:

CCA AAA ATA for a wild-type form of position 45.

CCA AAA GTA for a wild-type form of position 45.

CCT AAA ATA for a wild-type form of position 45.

CCA AGA ATA for a mutated form of position 45.

CCA AGA GTA for a mutated form of position 45.

CCT AGA ATA for a mutated form of position 45.

TTT ATA AAC for a wild-type form of position 54.

TTT ATA AAT for a wild-type form of position 54.

TTT ATG AAC for a mutated form of position 54.

TTT ATG AAT for a mutated form of position 54.

GAA ATA AAA for a wild-type form of position 64.

GAA ATA GAA for a wild-type form of position 64.

GAA GTA AAA for a mutated form of position 64.

GAA GTA GAA for a mutated form of position 64.

AAC ATC TTT for a wild-type form of position 84.

AAC ATT TTT for a wild-type form of position 84.

AAC CTC TTT for a mutated form of position 84.

ATT CTG ACA for a wild-type form of position 90.

ATC CTG ACA for a wild-type form of position 90.

ATT CTA ACA for a wild-type form of position 90.

ATC CTA ACA for a wild-type form of position 90.

ATT ATG ACA for a mutated form of position 90.

ATC ATG ACA for a mutated form of position 90.

or:

CCA GTA GTC for a wild-type form of position 10.

CCA ATA GTC for a mutated form of position 10.

AAA ATA GTA for a wild-type form of position 46.

AAA GTA GTA for a mutated form of position 46.

CCA ATC AAC for a wild-type form of position 82.

CCA ATA AAC for a wild-type form of position 82.

CCA ATG AAC for a mutated form of position 82.

AAAATGTAGAAGTAAAAGTACTAAA
AAAATATAGAAGTAAAAGTACTAAA
AAGATGTAGAAGTAAAGGTACTAAA
AAAATGTAGAAGTAGAAGTTCTAAA

AAAATGTAGAAGTAGAAGTCCTGGA
AAAGTGTAGAAGTAAGAGTGCTAAA

can be used.

[0066] (d) position 84:

A probe having for example 9 to 25 nucleotides (preferably distributed symmetrically about the mutated codon CTC) whose sequence is included in one of the following sequences:

CCCCAATCAACCTCTTTGGCAGAAA

can be used.

[0067] (e) position 90:

A probe having for example 9 to 25 nucleotides (preferably distributed symmetrically about the mutated codon ATG) whose sequence is included in one of the following sequences:

GCAGAAATATTATGACAGCCTTAGG

GCAGAAATATTATGGCAACCTTAGG

GCAGAAATGTTATGACAGCTTTAGG

GCAGAAATATCATGACAGCCTTGGG

GCAGAAACATTATGACAGCCTTA

can be used.

5. Method according to Claim 4, wherein said test is carried out using hybridization techniques, according to known methods.

6. Method according to Claim 1, wherein said test is carried out using sequencing techniques, according to known methods.

7. Nucleotide probe usable in the method according to any one of Claims 1 to 5, comprising, as a minimum sequence, a sequence chosen from the group comprised of:

CCA AGA ATA for a mutated form of position 45.

CCA AGA GTA for a mutated form of position 45.

CCT AGA ATA for a mutated form of position 45.

TTT ATG AAC for a mutated form of position 54.

TTT ATG AAT for a mutated form of position 54.

GAA GTA AAA for a mutated form of position 64.

GAA GTA GAA for a mutated form of position 64.

AAC CTC TTT for a mutated form of position 84.

ATT ATG ACA for a mutated form of position 90.

ATC ATG ACA for a mutated form of position 90,

possibly supplemented by the nucleotide sequence of an adjacent region of the gene of said protease, on either side of the minimum sequence,

(b) a nucleotide sequence equivalent to a sequence defined in (a), and

(c) a sequence complementary to a sequence defined in (a) or in (b), said probe having a maximum of 40 nucleotides.

8. Method for testing, in a biological sample from a patient infected by HIV-2 containing at least one HIV-2 viral strain, the resistance of the HIV-2 viral strain to treatment with an antiprotease agent, wherein, using known methods, the presence of at least one mutation in position 10 or 46 of the protein sequence of the protease of said viral strain is investigated, said mutation having previously been found to elicit said resistance, and wherein, if such a mutation is found, it is concluded that a viral strain resistant to said antiprotease agent is present in the patient in question.

9. Method according to Claim 8, wherein:

a) using known methods, the presence of at least one mutation at one of said positions of the protein sequence of the protease of said viral strain in a biological sample taken from a patient infected with HIV-2 is investigated,

b) of the mutations found in a), those which, after cloning in an HIV-2 virus, do not prevent the virus clone obtained from multiplying in culture in the presence of said antiprotease drug are selected, and

c) if at least one mutation is selected at step b), it is concluded that resistance exists to the antiprotease drug referred to in b).

10. Method according to Claim 8, wherein the presence of at least one mutation chosen from the following mutations:

V 10 I, I 46 V, and I 82 M

in the protein sequence of the protease of said viral strain is investigated and in which said resistance is concluded to exist if said mutation or said mutations is or are present.

11. Method according to any of Claims 8 to 10, wherein, to detect a mutation of the protein sequence of the protease, a corresponding mutation is sought in the nucleotide sequence of the gene of said protease.

12. Method according to Claim 11, wherein said test is carried out using sequencing techniques, according to known methods.

13. Method according to Claim 11, wherein said test is carried out using hybridization techniques, according to known methods.

14. Nucleotide probe usable in the method according to Claim 13, comprising, as a minimum sequence, a sequence chosen from the group comprised of:

(a) CCA ATA GTC for a mutated form of position 10.

AAA GTA GTA for a mutated form of position 46.

CCA ATG AAC for a mutated form of position 82.

possibly supplemented by the nucleotide sequence of an adjacent region of the gene of said protease, on either side of the minimum sequence,

(b) a nucleotide sequence equivalent to a sequence defined in (a), and

(c) a sequence complementary to a sequence defined in (a) or in (b), said probe having a maximum of 40 nucleotides.

ABSTRACT

A search method in a biological sample containing an HIV 2 viral strain for possible resistance of said strain to treatment by an anti-protease agent, and nucleotide probes for the implementation thereof. According to methods known per se, the presence of at least one mutation at certain, specified, particular positions of the proteinic sequence of the protease of said viral strain from a biological sample taken from a patient contaminated by HIV 2 is searched. If said mutation is observed, the existence of a resistance to said anti-protease agent is assumed in the patient.

**DECLARATION AND POWER OF ATTORNEY
UNDER 35 USC §371(c)(4) FOR
PCT APPLICATION FOR UNITED STATES PATENT**

As a below named inventor, I hereby declare that:
my residence, post office address and citizenship are as stated below under my name;

I verily believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought, namely the invention entitled: SEARCH METHOD FOR RESISTANCE TO ANTI-PROTEASES OF A STRAIN OF THE HIV 2 VIRUS FROM A BIOLOGICAL SAMPLE TAKEN FROM A PATIENT

described and claimed in international application number PCT/FR00/01728 filed June 21, 2000.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56.

Under Title 35, U.S. Code §119, the priority benefits of the following foreign application(s) filed by me or my legal representatives or assigns within one year prior to my international application are hereby claimed:

French Patent Application No. 99 07855 filed June 21, 1999

The following application(s) for patent or inventor's certificate on this invention were filed in countries foreign to the United States of America either (a) more than one year prior to my international application, or (b) before the filing date of the above-named foreign priority application(s):

I hereby appoint the following as my attorneys of record with full power of substitution and revocation to prosecute this application and to transact all business in the Patent Office:

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ALL CORRESPONDENCE IN CONNECTION WITH THIS APPLICATION SHOULD BE SENT TO OLIFF & BERRIDGE, PLC, P.O. BOX 19928, ALEXANDRIA, VIRGINIA 22320, TELEPHONE (703) 836-6400.

I hereby declare that I have reviewed and understand the contents of this Declaration, and that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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3 **Date of Signature:**

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Day

Year

Residence:

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State or Province

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Citizenship:

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address, including country)

Note to Inventor: Please sign name on line 2 exactly as it appears in line 1 and insert the actual date of signing on line 3.

This form may be executed only when attached to the first page of the Declaration and Power of Attorney of the application to which it pertains.

SEQUENCE LISTING

<110> TELLES, Jean-Noel

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<120> Method for Testing Resistance to Antiproteases of an HIV-2 Virus
Strain in a Biological Sample Taken from a Patient

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<400> 23

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